

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

United States Courts Southern

District of Texas

FILED

for the

Southern District of Texas



November 3, 2022

Houston Division

Nathan Ochsner, Clerk of Court

Darryl Bey, Trustee Ex. Relatione
DARRYL L BANKSTON Estate

Case No.

4:22cv3862

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

see attached

Jury Trial: (check one) ☒ Yes ☐ No

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Darryl Bey, Trustee Ex. Relatione DARRYL L BANKSTON Estate
Street Address	703 DEVERON LANE
City and County	HOUSTON, HARRIS
State and Zip Code	TEXAS REPUBLIC [77090]
Telephone Number	512-656-1125
E-mail Address	darrylbankston@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name	Marilyn Burgess
Job or Title <i>(if known)</i>	(acting as) District clerk
Street Address	201 Caroline, Suite 420
City and County	Houston, Harris
State and Zip Code	Texas 77002
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Franklin Gordon 'Paco' Bynum
Job or Title <i>(if known)</i>	(acting as) Harris County Judge (Bar No. 24069451)
Street Address	1201 Franklin Street 9th Floor
City and County	Houston, Harris
State and Zip Code	Texas 77002
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	Ivone Gomez
Job or Title <i>(if known)</i>	(acting as) Court Clerk
Street Address	1201 Franklin Street 9th Floor
City and County	Houston, Harris
State and Zip Code	Texas 77002
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	Jennifer Slessinger
Job or Title <i>(if known)</i>	(acting as) Court Reporter
Street Address	1201 Franklin Street 9th Floor
City and County	Houston, Harris
State and Zip Code	Texas 77002
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant(s)

Marilyn Burgess, (acting as) District clerk
HARRIS COUNTY DISTRICT CLERK
201 Caroline, Suite 420
Houston, Texas republic [77002]

Franklin Gordon 'Paco' Bynum (acting as) Harris County Judge (Bar No. 24069451)
HARRIS COUNTY CRIMINAL COURT AT LAW #8
1201 Franklin Street 9th Floor
Houston, Texas republic [77002]

Ivone Gomez (acting as) Court Clerk
HARRIS COUNTY CRIMINAL COURT AT LAW #8
1201 Franklin Street 9th Floor
Houston, Texas republic [77002]

Jennifer Slessinger (acting as) Court Reporter
HARRIS COUNTY CRIMINAL COURT AT LAW #8
1201 Franklin Street 9th Floor
Houston, Texas republic [77002]

Kimbra Kathryn Ogg (acting as) District Attorney (Bar No. 15230200)
HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE
500 Jefferson Street 600
Houston, Texas republic [77002]

Mick H. Sellergren Esq. (acting as) Assistant District Attorney (Bar No. 24108963)
HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE
1301 Franklin St
Houston, Texas republic [77002]

Ed Gonzales (acting as) Sheriff
HARRIS COUNTY SHERIFF'S OFFICE
1200 Baker Street
Houston, Texas republic [77002]

Nathan Gonzales (acting as a) peace officer (Unit No. 41A26)
HARRIS COUNTY SHERIFF'S OFFICE
1200 Baker Street
Houston, Texas republic [77002]

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Divine Constitution and By Laws of the Moorish Holy Temple of Science of the World

First Amendment to the US Constitution. Freedom of Religion/Supremecy Clause

42 U.S. Code § 1983. Civil action for deprivation of rights

42 U.S. Code § 1985

42 U.S. Code § 1986 Action for neglect to prevent.

42 U.S. Code § 3617 - Interference, coercion, or intimidation

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

Or is incorporated under the laws of *(foreign nation)* _____, and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See Attached Affidavit of Fact of False Imprisonment and Arrest

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

\$3,705,000.00 payable in lawful money of .9999 fine silver bullion coins and/or bars due forthwith.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/25/2022

Signature of Plaintiff

Printed Name of Plaintiff Darryl Bey, Trustee Ex. Relation DARRYL L BANKSTON Estate

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____